

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Applicants thank the Examiner for total consideration given the present application. Claims 1-12 were pending prior to the Office Action. No claims have been added and no claims have been canceled through this reply. Therefore, claims 1-12 are pending. Claims 1 and 7 are independent. Applicants respectfully request reconsideration of the rejected claims in light of the remarks presented herein, and earnestly seeks a timely allowance of all pending claims.

Allowable Subject Matter

Applicants appreciate that claims 2 and 8 are indicated to define allowable subject matter.

Claim Objections – Improper Multiple Dependency

Claims 6 and 12 have been objected to for having improper multiple dependency. Claims 6 and 12 have been amended as required by the Examiner. Therefore the objection to claims 6 and 12 should be withdrawn.

Claim Objections – Language

Claims 1 and 7 have been objected to for using the term “characterized”. Claims 1 and 7 have been amended as required by the Examiner. Therefore the objection to claims 1 and 7 should be withdrawn.

Request for Accepted Drawings

The Office Action Summary does not indicate that the drawings are accepted, Applicants respectfully ask the Examiner to indicate the acceptance of the drawings in the next Office Action. Applicants have amended Figures 1-2 to include the label of “Prior Art.”

Saikusa is not available as prior art

Claims 1, 5, 7, and 11 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Saikusa et al. (U.S. Patent Publication 2004/0190550) and Xu et al. (U.S. Patent Publication 2003/0231594). Claims 2-4, 6, 8-10, and 12 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Saikusa, Xu, and additional references. Applicants respectfully traverse these rejections.

A rejection under 35 U.S.C. § 103(a) based on a 35 U.S.C. § 102(e) date can be overcome by perfecting a claim to priority by filing a certified priority document in the application with an English language translation. See MPEP 706.02(b).

The application has a Finland priority of October 14, 2003. Saikusa has a U.S. file date of March 19, 2004, which is after the Finland priority of October 14, 2003.

Applicants have previously provided certified priority documents for the application. Applicants are now providing a certified priority document with an English language translation.

Accordingly, Applicants hereby perfect the claim to priority. Thus, Saikusa is not available as prior art and the rejections of claims 1-12 are moot. Therefore, withdrawal of the rejections is respectfully requested.

Reconsideration and allowance of claims 1-12 are respectfully requested for at least these reasons.

Conclusion

Therefore, for at least these reasons, all claims are believed to be distinguishable over cited prior art, individually or in any combination. It has been shown above that the cited references, individually or in combination, may not be relied upon to show at least these features. Therefore, claims 1-12 are distinguishable over the cited references.

In view of the above amendments, it is believed that the pending application is in condition for allowance.

Applicants respectfully request that the pending application be allowed.

Application No. 10/575,706
Amendment dated January 28, 2009
Reply to Office Action of October 28, 2008

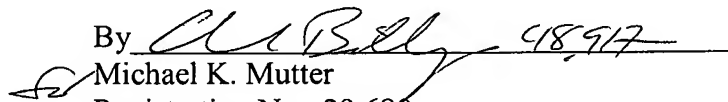
Docket No.: 0365-0673PUS1

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Aslan Ettehadieh Reg. No. 62,278 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: January 28, 2009

Respectfully submitted,

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